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Attorneys for Defendants
*InterDigital, Inc.; InterDigital Communications,
 Inc.; InterDigital Technology Corporation; IPR
 Licensing, Inc.; and InterDigital Patent
 Holdings, Inc.*

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

ASUS COMPUTER INTERNATIONAL; and)
 ASUSTEK COMPUTER INCORPORATED,)
)
 Plaintiffs,)
)
 v.)
)
 INTERDIGITAL, INC.; INTERDIGITAL)
 COMMUNICATIONS, INC.; INTERDIGITAL)
 TECHNOLOGY CORPORATION ; IPR)
 LICENSING, INC. ; and INTERDIGITAL)
 PATENT HOLDINGS, INC.,)
)
 Defendants.)

Case No.: 15-cv-1716 (BLF)

**STIPULATED ADMINISTRATIVE
 MOTION AND ~~PROPOSED~~
 ORDER FOR LEAVE TO SUBMIT
 SUPPLEMENTAL AUTHORITY**

1 TO THE HONORABLE BETH LABSON FREEMAN, UNITED STATES DISTRICT
2 JUDGE, PLAINTIFFS, DEFENDANTS, AND THEIR COUNSEL OF RECORD:

3 PLEASE TAKE NOTICE that pursuant to Civil Local Rules 7-3(d), 7-11, and 7-12,
4 Plaintiffs ASUS Computer International, and ASUSTeK Computer Incorporated, (collectively,
5 “ASUS”) and Defendants InterDigital, Inc., InterDigital Communications, Inc., InterDigital
6 Technology Corporation, IPR Licensing, Inc., and InterDigital Patent Holdings, Inc.
7 (collectively, “InterDigital”), by and through their respective counsel, stipulate and agree as
8 follows:

9 WHEREAS, the motions for summary judgment filed by InterDigital and ASUS (Dkt.
10 231; Dkt. 234) were heard on October 11, 2018; and

11 WHEREAS, in the briefing on the summary judgment motions, both parties cited the UK
12 trial court decision in *Unwired Planet Int’l Ltd. v. Huawei Technologies Co.*, EWHC 711 (Pat)
13 (2017); and

14 WHEREAS, the English Court of Appeal issued a decision on October 23, 2018
15 dismissing the defendants’ appeal of the trial court decision in *Unwired Planet International,*
16 *Ltd. v. Huawei Technologies. Co.* (2018) EWCA (Civ) 2344 (Eng.), attached hereto as Exhibit A;

17 WHEREAS, Local Rule 7-3(d) requires Court approval to submit supplemental authority
18 after the hearing on a motion; and

19 WHEREAS, the parties have conferred and agree that the decision by the English Court
20 of Appeal in *Unwired Planet International, Ltd. v. Huawei Technologies. Co.* (2018) EWCA
21 (Civ) 2344 (Eng.) should be submitted because it represents the decision on appeal in a case
22 where both parties cited the trial court decision in their motion papers;

23 IT IS HEREBY STIPULATED AND AGREED by the parties that, subject to the Court’s
24 approval, the attached supplemental authority be submitted to the Court for consideration in
25 connection with the pending motions for summary judgment.

26 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.
27
28

1 Dated: October 31, 2018

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2
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24 Dated: October 31, 2018

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26 HOLDINGS, INC.
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28

ATTESTATION PURSUANT TO L.R. 5-1

I, Maura L. Rees, am the ECF User whose identification and password are being used to file this document. In compliance with Civil Local Rule 5-1, I hereby attest that all signatories have concurred in this filing.

Date: October 31, 2018

By: /s/ Maura L. Rees
Maura L. Rees

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED:

The Court, having read and considered the parties' Stipulated Motion for Leave to Submit Supplemental Authority, and finding good cause in support thereof, hereby GRANTS the parties' request for leave to submit *Unwired Planet International, Ltd. v. Huawei Technologies, Co.* (2018) EWCA (Civ) 2344 (Eng.), as supplemental authority.

Dated: November 1, 2018



HON. BETH LABSON FREEMAN
United States District Judge